

**THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

UNITED STATES OF AMERICA,

Plaintiff,

v.

EDUARDO TEJEDA QUIROZ,

Defendant.

Crim. No. 17-267-01 (MAJ)

OPINION AND ORDER

Before the Court is a Report and Recommendation (“R & R”) issued by Magistrate Judge Bruce J. McGiverin, (**ECF No. 112**) recommending the Court denies Defendant’s Motion to Reduce Sentence (**ECF No. 109**). The U.S. Probation Office also filed a motion recommending the denial of defendant’s request (**ECF No. 115**).

The R & R was issued on September 19, 2023. After reviewing the R & R, and all the pleadings on the record, the Court finds the R & R well-reasoned, grounded in fact and law, and free of “plain error.” *See Nogueras-Cartagena v. United States*, 172 F.Supp.2d 296, 305 (D.P.R. 2001) (“Court reviews Magistrate’s Report and Recommendation to ascertain whether or not the Magistrate’s recommendation was clearly erroneous.”). Accordingly, the Court **ACCEPTS** and **ADOPTS** the R & R in its entirety. Defendant is not eligible for a sentence reduction under Amendment 782 to

Policy Statement § 1B1.10(d) because the Court already included Amendment 782 in its sentence. (See **ECF Nos. 88 and 96**).

Therefore, the Court denies defendant's request at **ECF No. 109**, as recommended by the Magistrate Judge.

IT IS SO ORDERED.

In San Juan, Puerto Rico, this 17th day of October, 2023.

S/ María Antongiorgi-Jordán
MARÍA ANTONGIORGI-JORDÁN
UNITED STATES DISTRICT JUDGE